

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Section 0.5 of)
the Commission's Rules Relating to)
Compliance with Federal Financial)
Management Requirements)

ORDER

Adopted: August 28, 2002;

Released: September 10, 2002

By the Commission:

1. In the course of carrying out its responsibilities, the Commission is subject to a number of financially related requirements, including the Federal Debt Collection Improvement Act of 1996 and implementing regulations adopted by the Department of Treasury and the Department of Justice, the Federal Financial Management Improvement Act of 1996, the Federal Managers Financial Integrity Act of 1982, the Government Management Reform Act of 1994, the Information Technology Management Reform Act of 1996, the Federal Credit Reform Act of 1990, the Federal Acquisition Regulation, the Government Performance and Results Act of 1993, and others. The Commission's Managing Director has responsibility for Commission financial management activities, including compliance with the foregoing requirements, as well as the responsibility for advising the Commission on management implications of Commission and Bureau actions. See 47 C.F.R. § 0.11(a)(4), (8). To better assure comprehensive and consistent management of the agency's financial responsibilities and compliance with all Federal financial management requirements, it is necessary and prudent to involve the Office of the Managing Director in any such matters. Therefore, in this order, we amend section 0.5 of the Commission's rules, 47 C.F.R. § 0.5, to require any Bureau or Office recommending action to the Commission on any matter that may affect compliance with Federal financial management requirements, to confer with the Office of the Managing Director. Such items will indicate the position of the Managing Director when forwarded to the Commission. In addition, any Bureau or Office taking action under delegated authority that may affect agency compliance with Federal financial

management requirements must confer with the Office of the Managing Director before taking action. The amended rule will not, however, affect the existing authority of the various Bureaus and Offices over substantive regulatory matters associated with their programs. See 47 C.F.R. § 0.11(a)(1).

2. The rule amendments adopted herein involve rules of agency organization, procedure, or practice, and the notice and comment and effective date provisions of the Administrative Procedure Act are therefore inapplicable. 5 U.S.C. § 553(b)(3)(A), (d).

3. ACCORDINGLY, IT IS ORDERED, That pursuant to sections 4(i), 4(j), 5(c), 303(r), 47 U.S.C. §§ 4(i), 4(j), 5(c), 303(r) of the Communications Act of 1934, as amended, 47 C.F.R. Part 0 IS AMENDED as set forth below, effective upon publication in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX

Part 0 of Title 47 of the Code of Federal Regulations is amended to read as follows:

1. The authority citation for Part 0 continues to read as follows:

AUTHORITY: Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155.

2. 47 CFR 0.5 is amended by adding a new subsection (e) to read as follows:

§ 0.5 General Description of Commission organization and operations.

* * * * *

(e) Compliance with Federal Financial Management Requirements.

Any Bureau or Office recommending Commission action that may affect agency compliance with Federal financial management requirements must confer with the Office of Managing Director. Such items will indicate the position of the Managing Director when forwarded to the Commission. Any Bureau or Office taking action under delegated authority that may affect agency compliance with Federal financial management requirements must confer with the Office of the Managing Director before taking action.

* * * * *